

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

In re: Case No. 6:19-bk-00511-KSJ  
IPS WORLDWIDE, LLC, Chapter 11  
Debtor.

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**ACLARA TECHNOLOGIES, LLC'S OBJECTION TO  
RECOMMENDATION INCLUDED IN THE EXAMINER'S  
SECOND INTERIM REPORT (DOC. NO. 277)**

Aclara Technologies, LLC and Aclara Meters LLC f/k/a General Electric Meters ("Aclara"), by and through its undersigned counsel, objects to the recommendation of the Examiner, and asserts as follows:

1. On March 22, 2019, Aclara filed its Motion to Prohibit Debtor's Use of Cash That is Not Property of the Estate and Request For Turnover of Same (Doc. No. 237) (the "Motion"). As of the date of this Objection, the Motion has not been set for hearing.

2. On April 2, 2019, the Examiner filed its Second Interim Report (Doc. No. 277) (the "Report"). In the Report, the Examiner makes multiple recommendations regarding bank accounts that are held under the Debtor's name. On Page 34 of the Report, the Examiner recommends that with respect to a Bank of America account ending in number 2691 (the "Account"), that "the balance[] in [this] account[] be placed in a general account for the benefit of all the Debtor's creditors." Aclara objects to the Examiner's proposed treatment of the Account.

3. As stated in the Motion, which is fully incorporated herein, Aclara has identified that \$2,890,105.94 of Aclara's funds were deposited into the Account. These funds were Aclara's funds which were to be utilized to pay third-party shippers. Further, in the Motion,

Aclara seeks that the Account be frozen and that once a determination of Aclara's interest in the funds be determined, that the funds to which Aclara has an interest be turned over to Aclara.

4. After the Motion was filed, Aclara was contacted by counsel for Suez Water Technologies Solutions who also claims a right to funds in the Account.

5. Because the Motion is already pending and two creditors now claim direct interests in the Account, Aclara objects to the Examiner's recommendation that the Account be deposited in a general account to be utilized by the bankruptcy estate. This matter is still developing, Aclara asserts and reserves the right to raise additional arguments and objections and to present further briefing on these matters.

Dated: April 4, 2019.

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on April 4, 2019, a true and correct copy of the foregoing was served on all parties listed below via CM/ECF and/or U.S. Mail.

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And all parties on the attached Parties-in-Interest matrix.

/s/ James A. Timko, Esq.  
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ORLDOCS 16820213 1

Label Matrix for local noticing  
113A-6  
Case 6:19-bk-00511-KSJ  
Middle District of Florida  
Orlando  
Thu Apr 4 15:12:34 EDT 2019

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End of Label Matrix	
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Total	68